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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|-------------------|
| 10/574,269 | 01/22/2007 | Yoshiyuki Matsumoto | 0943-0162PUS1 | 9784 |
| 2292 | 7590 | 05/30/2008 | EXAMINER | |
| BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | | CONSILVIO, MARK J |
| ART UNIT | | PAPER NUMBER | | |
| | | 2872 | | |
| NOTIFICATION DATE | | | DELIVERY MODE | |
| 05/30/2008 | | | ELECTRONIC | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/574,269 | MATSUMOTO ET AL. | |
| | Examiner | Art Unit | |
| | Mark Consilvio | 2872 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-5 and 8 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1,3-5 and 8 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 31 March 2006 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/31/2006</u> . | 6) <input type="checkbox"/> Other: ____ . |

93DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 03/31/2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schiff (US Patent No. 4,815,689) in view of Galicia (US Patent Application Publication No. 2001/0000443).

With respect to claim 1, Schiff discloses an integrated mirror comprising: an inside mirror part (25) for reflecting an inside field of vision of behind a vehicle; an outside mirror part (24) for reflecting an outside field of vision of behind the vehicle; and coupling means (38) for coupling the inside mirror part and the outside mirror part so that their respective mirror faces are parallel (col. 2, lines 10-13), characterized in that the inside mirror part and the outside mirror part are arranged to reflect predetermined regions (B) of the inside field of vision and the outside field of vision, respectively, of behind the vehicle when seen from a virtual view point determined in accordance with a driver's view point position determined using predetermined physique data (figs. 1-4). Schiff does not expressly disclose the inside mirror part and the outside mirror part are disposed at a height above the driver's view point position. However, Galicia discloses internal and external mirrors at a height even with the center rearview mirror which is generally understood in the art to be above a driver's view point (fig. 7). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to apply the known technique of raising the height of an auxiliary rearview mirror to achieve the claimed invention and one skilled in the art could have in the same way as Galicia and the modification would have yielded the predictable result of a higher vantage point reflected by the mirror.

With respect to claim 3, Schiff discloses attaching means (36) provided part-way along the coupling means and mounted rotatably in an upper part of the vehicle exterior part, and the

inside mirror part and the outside mirror part move in linkage about the attaching means as a center of rotation (fig. 3 col. 3, lines 53-65).

With respect to claim 4, Schiff discloses the mirror position is adjusting by moving the inside part (col. 3, lines 53-65).

With respect to claim 5, Schiff discloses the vehicle exterior part is left and right front pillars (col. 2, lines 52-60).

With respect to claim 8, Schiff discloses the virtual view point is provided in front of the front pillar (since, by the principles of reflection, a virtual view point will be a point behind/beyond (i.e. in front of) the mirror and the mirror is positioned at the front pillar) and within a range of height from the ground to the vehicle height (figs. 1 and 4).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references disclose features similar to those claimed or disclosed by the instant application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Consilvio whose telephone number is (571) 272-2453. The examiner can normally be reached on Monday thru Thursday, 8:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/M. C./
Examiner, Art Unit 2872

/Stephone B. Allen/
Supervisory Patent Examiner
Art Unit 2872